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Security Council

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 16 March 2017 from the Permanent Mission of Spain to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Spain to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith the report on the measures taken by Spain in accordance with paragraph 36 of Security Council resolution 2321 (2016) (see annex).

17-04481 (E) 290317 300317

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Annex to the note verbale dated 16 March 2017 from the Permanent Mission of Spain to the United Nations addressed to the Chair of the Committee

Report of Spain on the implementation of Security Council resolution 2321 (2016)

The Permanent Mission of Spain to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, pursuant to paragraph 36 of Security Council resolution 2321 (2016), has the honour to submit herewith the report of Spain on the concrete measures taken to ensure effective implementation of the provisions of that resolution.

In response to the nuclear tests conducted by the Democratic People's Republic of Korea throughout 2016 and, in particular, following the test of 30 November 2016, the Security Council adopted resolution 2321 (2016) imposing new international sanctions against that country and expanding the scope of the measures previously adopted.

The States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea set forth in resolution 2321 (2016) through the adoption of the following common measures:

- Council Decision (CFSP) 2016/2217 of 8 December 2016, which adds to the list of persons and entities subject to entry bans, travel restrictions and asset freezes.
- Council Decision (CFSP) 2017/345 of 27 February 2017 implementing the rest of the restrictive measures against the Democratic People's Republic of Korea, including:
  - Trade embargo on missiles and nuclear, chemical or biological weapons listed in annex III of resolution 2321 (2016).
  - Trade embargo on goods on the conventional arms dual-use list adopted by the Committee pursuant to paragraph 7 of resolution 2321 (2016).
  - Ban on all leasing, chartering or provision of crew services to vessels or aircraft of the Democratic People's Republic of Korea.
  - Ban on registering vessels in the Democratic People's Republic of Korea, obtaining authorization for a vessel to use that country's flag, and owning, leasing, operating or providing classification or certification of a vessel flagged by the Democratic People's Republic of Korea.
  - Clarification that specialized teaching and training that could contribute to the proliferation-sensitive nuclear activities of the Democratic People's Republic of Korea or the development of nuclear weapons delivery systems includes, but is not limited to, advanced materials science, advanced chemical engineering, advanced mechanical engineering, advanced electrical engineering and advanced industrial engineering.

- Suspension of scientific and technical cooperation involving persons or groups who are officially sponsored by or represent the Democratic People's Republic of Korea, except in the case of medical exchanges. In the case of scientific cooperation in the fields of nuclear science and technology, the Committee shall determine on a case-by-case basis whether or not a particular activity will contribute to that country's proliferation-sensitive nuclear activities or ballistic missile-related programmes. For other instances of technical cooperation, each member State shall determine whether or not the activity will contribute to illegal activities and shall notify the Committee in advance of such determination.

- Power of member States to list vessels as long as they have information that provides reasonable grounds to believe that the vessels are involved in illegal activities.

- Restrictions on the entry of members of the Government of the Democratic People's Republic of Korea, officials of that Government and members of that country's armed forces who have been found to be associated with illicit activities.

- Limitation of the number of bank accounts to one per diplomatic mission and consular post of the Democratic People's Republic of Korea, and to one per accredited diplomat and consular officer, at banks located in the territories of member States.

- Ban on the use by the Democratic People's Republic of Korea of real property that it owns or leases in the territory of Member States for any purpose other than diplomatic or consular activities. It is also prohibited to lease from the Democratic People's Republic of Korea any property situated outside of its own territory.

- Ban on the provision of insurance or re-insurance services to vessels owned, controlled or operated, including through illicit means, by the Democratic People's Republic of Korea.

- Ban on procuring vessel and aircraft crewing services from the Democratic People's Republic of Korea.

- Obligation to deregister any vessel that is owned, controlled or operated by the Democratic People's Republic of Korea and ban on registering any such vessel previously deregistered by another member State.

- Extension of export prohibitions by establishing a new regime for the export ban on coal. The Committee will establish a cap on exemptions relating to total exports to all member States. The export ban is extended to include new items, such as statues, new helicopters, vessels, copper, nickel, silver and zinc.

- Obligation to take the necessary measures to close existing representative offices, subsidiaries or banking accounts in the Democratic People's Republic of Korea within 90 days, unless the Committee determines on a case-by-case basis that such offices, subsidiaries or accounts are required

for the delivery of humanitarian assistance or the activities of diplomatic missions in that country.

- Prohibition of the provision of public and private financial support, including the granting of export credits, guarantees or insurance to nationals or entities involved in such trade.
- Obligation to expel persons who are working on behalf or at the direction of a Democratic People's Republic of Korea bank or financial institution, unless the presence of the person is required for fulfilment of a judicial process or exclusively for medical, safety or humanitarian purposes.
- Obligation to seize and dispose of (such as through destruction, rendering inoperable or unusable, storage or transfer to a State other than the originating or destination State for disposal) items the supply, sale, transfer or export of which is prohibited by Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016) that are identified in inspections, in a manner that is not inconsistent with their obligations under applicable Security Council resolutions, including resolution 1540 (2004).
- The Committee may grant exemptions to the aforementioned prohibitions on a case-by-case basis, including when it has determined that an exemption may facilitate the work of international non-governmental organizations.

• Council Regulation (EU) 2017/330 of 27 February 2017 amending Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea gives effect to the measures provided for in Decision (CFSP) 2017/345 of 27 February 2017. That Regulation is directly applicable to private economic agents, meaning that it is not necessary to adopt national laws to implement its provisions.

• Commission Implementing Regulation (EU) 2016/2215 of 8 December 2016 and Council Regulation (EU) 2017/330 of 27 February 2017, both amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea.

Spain also has comprehensive national legislation in various areas which are closely related to some of the matters covered by Security Council resolution 2321 (2016), including non-proliferation, international trade in certain types of goods, entry and travel bans and financial measures; these laws complement the above-mentioned legal instruments adopted within the European Union.

Measures adopted for the effective implementation of the provisions of Security Council resolution 2321 (2016)

Measures related to the embargo on conventional weapons and weapons of mass destruction, as well as materials, goods, equipment and related technology

Spain has its own legislation on the control of foreign trade in defence-related and dual-use materials, which subjects such transactions to strict prior controls and, where the export of such materials is not prohibited, the requirement to obtain the relevant administrative licence from the competent national licensing authority. The

applicable national legislation is Act No. 53/2007 of 28 December 2007 on the control of foreign trade in defence-related and dual-use materials and Royal Decree No. 679/2014 of 1 August 2014 approving the Regulations on the control of foreign trade in defence-related material, other material and dual-use items and technology. However, pursuant to the above-mentioned legislation, there is currently no trade in weapons and related goods between Spain and the Democratic People's Republic of Korea.

The above legislation applies to the ban on the direct or indirect supply, sale or transfer to the Democratic People's Republic of Korea of nuclear-related, ballistic missile-related or other weapons of mass destruction-related items, materials, equipment, goods and technology.

Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items is also noteworthy. This Regulation gives member States the power to prevent the brokering of any goods or materials that could be used in connection with a weapons-of-mass-destruction programme in their destination country, or of any dual-use material with possible military use in a State subject to an arms embargo.

Trade restrictions

Applications for licences for the import or export of goods to or from the Democratic People's Republic of Korea are examined on a case-by-case basis by the competent national authority, which shall grant the required licences only once it has been verified that the conditions established by the relevant national, international and European Union provisions have been met.

In the case of exports to countries considered sensitive or subject to an embargo, such as the Democratic People's Republic of Korea, a strengthened and exhaustive examination is conducted before any licence is granted. Spain has an alert system in place that was established by the Customs and Excise Department, which is the department responsible for identifying both imports from and exports to countries subject to restrictive measures and stopping the customs clearance of the goods concerned. These filters were established for any goods originating in or headed to the Democratic People's Republic of Korea. The export of such goods without the required licence constitutes an offence in accordance with the criminal legislation in force, in particular Organic Act No. 12/1995 of 12 December 1995 on countering smuggling.

Exporting certain luxury goods, the complete list of which is contained in annex III of Council Regulation (EU) 2017/330, constitutes a criminal offence under current Spanish legislation and is punishable by law.

Entry bans and travel restrictions

By Council Decision (CFSP) 2017/345 and Council Regulation (EU) 2017/330, the European Union has incorporated the persons subject to entry and travel bans added to the list by resolution 2321 (2016). This, together with Council Regulation (EC) No. 539/2001 of 15 March 2001 listing the third countries whose

nationals must be in possession of visas when crossing the external borders, forms the basis for prohibiting entry into the territory of the European Union.

In this regard, Spanish policy on foreign nationals is governed by Organic Act No. 4/2000 of 11 January 2000 on the rights and freedoms of aliens in Spain and their social integration.

Transport restrictions

The Port Authorities are responsible for authorizing entry to ports located on Spanish territory, in accordance with article 7 of Act No. 14/2014 of 24 July 2014 on maritime navigation. There is currently no direct air link between Spain and the Democratic People's Republic of Korea and there are no plans to operate commercial flights between the two countries. However, Spain has a licensing department and any future requests relating to flights to or from the Democratic People's Republic of Korea will be subject to the relevant legislation.

Financial measures and asset freezes

Spain has specific legislation on countering money-laundering and international terrorist financing. Article 42 of Act No. 10/2010 of 28 April 2010 on preventing money-laundering and terrorist financing explicitly mentions the freezing of funds in accordance with international sanctions and is fully applicable to the Democratic People's Republic of Korea.

Measures taken to prohibit the establishment of and participation in companies of the Democratic People's Republic of Korea in certain sectors

The extension of sanctions against the Democratic People's Republic of Korea provides for a ban on the establishment of joint venture companies and the acquisition of any equity, through the purchase of shares or other assets, in companies involved in nuclear programmes or the production of ballistic missiles or other weapons of mass destruction, as well as the conventional arms, metallurgical, mining, chemical, refining and aerospace industries.

In addition, the prohibition includes financing or financial assistance and the provision of direct or indirect investment services related to the above activities.

Spain has specific national legislation on Spanish investments abroad and foreign investments in Spain, namely Royal Decree 664/1999 of 23 April 1999 on foreign investments and Act No. 19/2003 of 4 July 2003 establishing the legal framework for capital transfers and financial transactions abroad, which complement Act No. 10/2010 on the prevention of money-laundering and terrorist financing.

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 16 March 2017 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Bulgaria to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, in accordance with paragraph 36 of Security Council resolution 2321 (2016), has the honour to present its report on measures taken by the Government of Bulgaria to implement the provisions of resolution 2321 (2016) (see annex).

17-04483 (E) 290317

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Annex to the note verbale dated 16 March 2017 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chair of the Committee

Report of Bulgaria on the implementation of Security Council resolution 2321 (2016)

The Republic of Bulgaria has consistently undertaken appropriate measures to implement Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016).

The Republic of Bulgaria was a co-sponsor of Security Council resolution 2321 (2016) and favours its quick implementation.

The Republic of Bulgaria and the other European Union member States have jointly implemented the additional restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2321 (2016) by taking the following common measures:[1]

- Council Decision 2016/2217 of 8 December 2016 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, implementing the designation of additional persons and entities (travel ban and asset freeze)[2]
- Commission Implementing Regulation (EU) 2016/2215 of 8 December 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea, in order to give effect to the asset freeze with regard to the newly designated persons and entities;[2]
- Council Decision (CFSP) 2017/345 of 27 February 2017[3] amending Council Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea

Council Decision (CFSP) 2017/345 sets out the commitment of the European Union to implement all measures contained in Security Council resolution 2321 (2016) and provides the basis for accompanying measures specific to the European Union, within the scope of the resolution, notably:

- Trade ban applied on nuclear- and/or missile-usable items listed in annex III of Security Council resolution 2321 (2016)
- Trade ban on items contained in the new conventional arms dual-use list adopted by the Sanctions Committee pursuant to paragraph 7 of Security Council resolution 2321 (2016)
- Ban on all leasing, chartering or provision of crew services to vessels or aircraft of the Democratic People's Republic of Korea

[1] All common measures are published in the Official Journal of the European Union.
[2] *Official Journal of the European Union L 334*, 9 December 2016.
[3] *Official Journal of the European Union L 50*, 28 February 2017.

- Prohibition on registering vessels in the Democratic People's Republic of Korea, obtaining authorization for a vessel to use the flag of that country and owning, leasing, operating, providing vessel classification, certification or associated services or insuring a vessel flagged by the Democratic People's Republic of Korea
- Clarification that specialized teaching and training that could contribute to the proliferation-sensitive nuclear activities of the Democratic People's Republic of Korea or the development of nuclear weapons delivery systems can also include, but not be limited to, advanced materials science, advanced chemical engineering, advanced mechanical engineering, advanced electrical engineering and advanced industrial engineering
- Suspension of scientific and technical cooperation involving persons or groups who are officially sponsored by or represent the Democratic People's Republic of Korea, except in the case of medical exchanges. In the field of nuclear science and aerospace technology, exemptions can be granted by the Sanctions Committee when it has determined on a case-by-case basis that the activity will not contribute to illegal activities. For other fields of technical cooperation, the member State concerned can determine that the activity will not contribute to illegal activities and has to notify the Sanctions Committee in advance
- Attribution of the power to list vessels to the Sanctions Committee if it has information or reasonable grounds to believe that the vessels are involved in illegal activities. This includes the additional measures that could be imposed by the Sanctions Committee in this regard
- Restriction on admission to the European Union of members of Government and officials of the Democratic People's Republic of Korea and members of that country's armed forces who are associated with illicit activities
- Limitation on the number of bank accounts at banks in the European Union to one per diplomatic mission and consular post and one per accredited diplomat and consular officer of the Democratic People's Republic of Korea
- Prohibition on the Democratic People's Republic of Korea using real property that it owns or leases in the territory of a member State for any purpose other than diplomatic or consular activities, as well as on leasing real property from the Democratic People's Republic of Korea that is situated outside the territory of that country
- Prohibition of the provision of insurance or reinsurance services to vessels owned, controlled or operated, including through illicit means, by the Democratic People's Republic of Korea
- Prohibition on procuring vessel and aircraft crewing services from the Democratic People's Republic of Korea
- Obligation to deregister any vessel that is owned, controlled or operated by the Democratic People's Republic of Korea, including a prohibition on registering any such vessel that has been deregistered by another member State

- Extension of export prohibitions: the establishment of a new regime for the export ban on coal, including a cap on exemptions relating to total exports to all United Nations Member States. The power to determine the cap is attributed to the Sanctions Committee. The export ban is extended to include new items, namely statues, new helicopters and vessels, copper, nickel, silver and zinc

- Financial sector: imposition of an obligation to close existing representative offices, subsidiaries or banking accounts in the Democratic People's Republic of Korea within 90 days, unless approved by the Sanctions Committee on the grounds that the accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions

- Prohibition on providing public or private financial support, including granting export credits, guarantees or insurance to their nationals involved in such trade

- Obligation to expel persons who are working on behalf or at the direction of a Democratic People's Republic of Korea bank or financial institution, unless the presence of the person is required for fulfilment of a judicial process or exclusively for medical, safety or humanitarian purposes

- Obligation to seize and dispose of (such as through destruction, rendering inoperable or unusable, storage or transfer to a State other than the originating or destination State for disposal) items the supply, sale, transfer, or export of which is prohibited by Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or 2321 (2016) that are identified in inspections, in a manner that is not inconsistent with their obligations under applicable Security Council resolutions, including resolution 1540 (2004)

- The Sanctions Committee may grant exemptions to the aforementioned prohibitions on a case-by-case basis, including when it has determined that an exemption may facilitate the work of international and non-governmental organizations.

Council Regulation (EU) No. 2017/330 of 27 February 2017 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[3] entered into force on 1 March 2017 and gives effect to the measures provided by Council Decision (CFSP) 2017/345 of 27 February 2017.[3]

Council regulations are binding in their entirety and directly applicable in the legal system of Bulgaria upon their publication in the *Official Journal of the European Union* and entry into force.

In addition to the common European Union measures, the Republic of Bulgaria has the following national legislation in force, requiring an authorization for the export, import, transfer, transport, passage, carriage transit and brokering of defence-related products and dual-use items and technologies, which together with European Union Common Position 2008/944/CFSP and Council Decision 2009/428, provide the basis for enforcement of the arms embargo against the Democratic People's Republic of Korea and the ban on related brokering services:

- Ordinance of the Council of Ministers (CoM) 91/2001 on the list of States and organizations against which the Republic of Bulgaria imposes a prohibition or

restrictions on the sale and deliveries of arms and related equipment, in compliance with resolutions of the Security Council, the European Union and the Organization for Security and Cooperation in Europe

- Ordinance (CoM) 3/2007 on the implementation of resolution 1718 (2006) and Common Position 2006/795/CFSP of the Council of the European Union, imposing sanctions on the Democratic People's Republic of Korea
- Defence-Related Products and Dual-Use Items and Technologies Export Control Act
- Ordinance (CoM) No. 144 of 16 June 2016 on the adoption of a list of defence-related products and a list of dual-use items and technologies subject to control at import
- List of specially empowered customs posts and offices for defence-related products and dual-use items and technologies
- Act on the Prohibition of Chemical Weapons and on Control of Toxic Chemicals and the Precursors thereof
- Ordinance (CoM) No. 16-437 of 4 May 2007 on the terms and conditions for the carrying out of activities with toxic chemical substances and their precursors
- Act on the Implementation of Council Regulation (EC) No. 1263/2005 concerning trade in certain goods that could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment
- The Criminal Code.

The Republic of Bulgaria is also a party to international treaties and conventions concerning the non-proliferation of weapons of mass destruction, including the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Bulgaria is a participating State in all relevant multilateral export control regimes, namely the Wassenaar Arrangement, the Nuclear Suppliers Group, the Zangger Committee, the Australia Group, the Missile Technology Control Regime and The Hague Code of Conduct against Ballistic Missile Proliferation.

As regards restrictions on admission to the national territory, the Act on Foreigners in the Republic of Bulgaria, together with Council of the European Union Decision (CFSP) 2016/2217 and Regulation (EC) No. 539/2001, provides the basis for refusal of admission and rejection of visa applications.

The implementation of the catch-all control and inspections are carried out by Bulgarian Customs. Detailed administrative guidelines for customs officers are regularly issued.

Bulgarian Customs applies the European Union system of risk criteria in relation to goods entering and leaving the Union. Risk management is performed according to the standardized framework for risk management in the customs

administrations of the European Union. Risk profiles are created at high or medium risk level based on collected and analysed information. They serve as instruments of risk management at the operational level and impose mandatory inspections of all cargo within or transiting through the territory of Bulgaria that has originated in or is destined for the Democratic People's Republic of Korea, or is being transported on aircraft and vessels flagged, or in vehicles registered by, that country.

Bulgaria applies cash controls according to Regulation (EC) No. 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community. The provisions of the Currency Act are applicable at the national level. In addition, customs control is carried out on the basis of common risk indicators.

Since the date of adoption of resolution 2321 (2016), there have been no registered cases of violation of the provisions in force regarding the Democratic People's Republic of Korea.

Specialized authorities — the Civil Aviation Administration and the Bulgarian Maritime Administration — are tasked with the implementation and supervision of the restrictions on air and maritime transport.

In view of ensuring strict compliance with restrictive measures introduced in the field of maritime transport, the Bulgarian Maritime Administration has prepared a draft order of its Executive Director, which incorporates the measures envisaged in resolution 2321 (2016).

There is currently no direct air connection between Bulgaria and the Democratic People's Republic of Korea. However, the Civil Aviation Administration of Bulgaria issues flight permits in accordance with regulation 22 of the Minister of Transport, issued on 21 July 1999, and with the relevant international agreements. No flight permits for aircraft flagged by the Democratic People's Republic of Korea landing at or taking off from airports located in the Republic of Bulgaria or flying over its territory have been issued. Accordingly, no maintenance of aircraft flagged by the Democratic People's Republic of Korea has been performed and no fuel has been provided to civil passenger aircraft of that country. In the event of an emergency or other exceptional circumstances related to landing, such aircraft will be subject to tight surveillance and, if refuelling is needed, the restrictions provided for in paragraph 20 of resolution 2321 (2016) will be strictly observed.

In this regard, the competent Bulgarian aeronautical authorities, in collaboration with the airport authorities, have taken the following joint measures and coordinated actions:

- In the event of emergency landing of an aircraft flagged by the Democratic People's Republic of Korea, such aircraft shall be parked in a distant parking place and the area around it will be demarcated. Security officers shall keep the aircraft under permanent observation and control
- All individuals entering into or departing from the Democratic People's Republic of Korea, along with their personal luggage and checked baggage, will be subject to a 100 per cent manual check
- All cargo will be subject to additional inspections in order not to allow any prohibited cargo and aviation fuel in excess of what is necessary for the

relevant flight, including for a standard margin of safety for the flight to reach the territory of the Democratic People's Republic of Korea.

In view of ensuring strict compliance with the prohibitions, restrictions and recommendations of the Security Council regarding the procuring of vessel and aircraft crewing services from the Democratic People's Republic of Korea and the chartering or provision of crew services to the Democratic People's Republic of Korea, the Civil Aviation Administration of Bulgaria has also informed the aeronautics sector in the country of the above-mentioned regulations.

Bulgaria does not provide public financial support for international trade with the Democratic People's Republic of Korea. No insurance coverage is possible for companies that wish to export goods to that country. Protocol No. 34 of 17 February 2017 of the Inter-Agency Task Force for Export Insurance approved the policy of the Bulgarian Export Insurance Agency regarding the management of country risk, which updates the classification of countries at risk and includes the Democratic People's Republic of Korea in the list of countries that are not eligible for export insurance. Furthermore, no insurance or reinsurance services have been provided by Bulgarian insurers, reinsurers, investment firms and management companies to vessels owned, controlled or operated, including through illicit means, by the Democratic People's Republic of Korea.

No nationals of the Democratic People's Republic of Korea work in Bulgaria for the purpose of earning hard currency that the Democratic People's Republic of Korea uses for its nuclear and ballistic missile programmes.

A review has been conducted of cooperation in the field of education and science between Bulgaria and the Democratic People's Republic of Korea, and it has been ascertained that no scholarships have been offered for disciplines that can even remotely entail the risk of contributing to the proliferation-sensitive nuclear activities or ballistic missile-related programmes of the Democratic People's Republic of Korea. Bulgarian universities are duly informed through the Ministry of Education and Science of the new sanctions regarding specialized teaching or training of nationals of the Democratic People's Republic of Korea in Bulgaria, and applications of nationals of the Democratic People's Republic of Korea for training and specialized teaching in Bulgaria are brought to the attention of the Ministry of Education and Science and the Ministry of Foreign Affairs for approval.

Concerning the restrictions on the use of real estate property by the Democratic People's Republic of Korea in the Republic of Bulgaria, the Ministry of Foreign Affairs has submitted to the embassy of the Democratic People's Republic of Korea in Sofia a note verbale informing the embassy that it cannot use the real estate property that it owns in Bulgaria for any purpose other than diplomatic or consular activities and asking it to take measures to cease any such uses.

The Republic of Bulgaria has also taken measures to reduce the number of staff at the diplomatic mission of the Democratic People's Republic of Korea in Sofia. As a result, two officials of the embassy left the country in February 2017.

Accredited diplomats and consular officers of the Democratic People's Republic of Korea in the Republic of Bulgaria have no bank accounts in the country. The diplomatic mission of the Democratic People's Republic of Korea in Sofia has two current accounts, one in local currency (Bulgarian lev) and one in foreign

currency, which is the normal practice for foreign diplomatic missions in the country. Bulgaria has brought up the matter for clarification before the Security Council Committee established pursuant to resolution 1718 (2006).

As regards the implementation of measures envisaged in paragraph 31 of resolution 2321 (2016), Bulgaria has submitted to the Security Council Committee established pursuant to resolution 1718 (2006) an application for the exemption from possible sanctions of operations connected with the bank account of the Bulgarian diplomatic mission in Pyongyang, which is used exclusively and solely for the activities of the diplomatic mission.

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Note verbale dated 20 March 2017 from the Permanent Mission of Slovakia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Slovak Republic to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith the report of Slovakia on concrete measures taken in order to implement effectively the provisions of United Nations Security Council resolutions 2270 (2016) and 2321 (2016) concerning the Democratic People's Republic of Korea (see annex).

17-04600 (E) 270317

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Annex to the note verbale dated 20 March 2017 from the Permanent Mission of Slovakia to the United Nations addressed to the Chair of the Committee

Report of the Slovak Republic on the implementation of Security Council resolution 2321 (2016)

Slovakia and the other member States of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolutions 2270 (2016) and 2321 (2016) by taking the following common measures:[1]

- Commission Implementing Regulation (EU) 2016/315 of 4 March 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[2]
- Council Decision (CFSP) 2016/476 of 31 March 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea[3]
- Commission Implementing Regulation (EU) 2016/569 of 12 April 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[4]
- Council Implementing Decision (CFSP) 2016/573 of 12 April 2016 implementing Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea[5]
- Council Regulation (EU) 2016/682 of 29 April 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea,[6] which gives effect to the measures provided by Council Decision (CFSP) 2016/476 of 31 March 2016
- Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP[7]
- Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea,[8] which gives effect to measures provided for in Decision (CFSP) 2016/849 of 27 May 2016

[1] All common measures are published in the *Official Journal of the European Union*.
[2] *Official Journal of the European Union L 60*, 5 March 2016.
[3] *Official Journal of the European Union L 85*, 1 April 2016.
[4] *Official Journal of the European Union L 97*, 13 April 2016.
[5] Ibid.
[6] *Official Journal of the European Union L 117*, 3 May 2016.
[7] *Official Journal of the European Union L 141*, 28 May 2016.
[8] Ibid.

- Council Decision (CFSP) 2016/1341 of 4 August 2016 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea[9]
- Council Regulation (EU) 2016/1333 of 4 August 2016 amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea,[10] which gives effect to measures provided for in Council Decision (CFSP) 2016/1341 of 4 August 2016
- Commission Implementing Regulation (EU) 2016/1831 of 14 October 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[11]
- Council Decision (CFSP) 2016/2217 of 8 December 2016 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea[12]
- Commission Implementing Regulation (EU) 2016/2215 of 8 December 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[13]
- Council Decision (CFSP) 2017/82 of 16 January 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea[14]
- Commission Implementing Regulation (EU) 2017/80 of 16 January 2017 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[15]
- Council Decision (CFSP) 2017/345 of 27 February 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea[16]
- Council Regulation (EU) 2017/330 of 27 February 2017 amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea.[17]

The above-mentioned Council Regulations are binding in their entirety and directly applicable in all Member States of the European Union.[18]

Regulation (EC) No. 329/2007 requires Member States to determine the penalties applicable to the infringement of provisions of the regulations. The penalties determined by Slovakia are set out in Act No. 289/2016 Coll. of 11 October 2016 on

[9] *Official Journal of the European Union L 212*, 5 August 2016.
[10] Ibid.
[11] *Official Journal of the European Union L 280*, 18 October 2016.
[12] *Official Journal of the European Union L 334*, 9 December 2016.
[13] Ibid.
[14] *Official Journal of the European Union L 12*, 17 January 2017.
[15] Ibid.
[16] *Official Journal of the European Union L 50*, 28 February 2017.
[17] Ibid.
[18] Regulation (EC) No. 539/2001 applies neither to Ireland nor to the United Kingdom of Great Britain and Northern Ireland.

the execution of international sanctions — which repealed and replaced Act No. 126/2011 Coll. — under article I, sections 21-23, and in other relevant legal acts.

Competent authorities of the Slovak Republic for the execution of sanctions are stipulated by article I, section 4, of Act No. 289/2016 Coll. with reference to responsibilities and competences laid down pursuant to Act No. 575/2001 Coll. on the organization of Government activities and on the organization of central State administration.

Act No. 289/2016 Coll. of 11 October 2016 on the execution of international sanctions, provides a legal basis for the development of national rules on the implementation of international sanctions. It lays down provisions on the implementation of international sanctions, mostly in the following areas:

- Business and non-financial services
- Financial services and financial markets, money transfers, use of other means of payment, purchase and sale of securities and investment coupons
- Transport, postal services and electronic communications
- Technical infrastructure
- Scientific and technical relations, and cultural and sport relations
- Restrictions on the exercise of property rights
- Travel and issuance of visas.

As regards restrictions on admission (visa ban), Act No. 404/2011 on Residence of Aliens and Amendment and Supplementation of Certain Acts, together with Council Decision (CFSP) 2016/849 and Regulation (EC) No. 539/2001,[18] provides the basis for refusal of admission and denial of requests for a visa. Act No. 404/2011 governs the conditions for the entry and stay of foreign nationals in Slovakia. This Act regulates, inter alia, the scope of activities of public authorities in the area of visas, conditions for the entry of aliens into the territory of the Slovak Republic, conditions of residence, the issuance of documents for aliens, registration of persons and residence control, administrative expulsion and bans on entry, detention of third-country nationals and placement into facilities, and air transit of third-country nationals through the territory of the Slovak Republic.

Slovakia is a member of four multilateral export control regimes (Nuclear Suppliers Group, Zangger Committee, Australia Group and Wassenaar Arrangement) and applies the European Union legislation that is relevant to sensitive goods and technology that could contribute to the development of the nuclear or ballistic missile programmes of the Democratic People's Republic of Korea.

According to Act No. 392/2011 Coll. of 19 October 2011 on trading with defence industry products, as amended, an export authorization for the sale, transfer or export of arms and related materiel[19] to third countries and an authorization for the provision of brokering services related to military activities are required. The principal body responsible for the sale, transfer or export of arms and related materiel

[19] This legislation should apply to all goods included in the Common Military List of the European Union; see *Official Journal of the European Union C 129*, 21 April 2015.

is the Ministry of Economy. Act No. 392/2011 Coll. and Council Common Position 2008/944/CFSP of 8 December 2008,[20] defining common rules governing control of exports of military technology and equipment, together with Council Decision (CFSP) 2016/849,[21] provide the basis for enforcement of the arms embargo against the Democratic People's Republic of Korea and the ban on related brokering services.

According to Act No. 39/2011 on dual-use items, as amended, an export authorization for the export, transfer, transit and brokering of dual-use items is required. The principal body responsible for the control of exports, transfer and brokering of dual-use items is the Ministry of Economy. Act No. 39/2011, together with Council Regulation (EC) No. 428/2009 of 5 May 2009, setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, provide the basis for control of dual-use items relevant to Security Council resolutions concerning the Democratic People's Republic of Korea.

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[20] *Official Journal of the European Union L 335*, 13 December 2008.
[21] *Official Journal of the European Union L 141*, 28 May 2016.

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Security Council

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21 March 2017

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 20 March 2017 from the Permanent Mission of Sweden to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Sweden to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to submit herewith its implementation report pursuant to resolution 2321 (2016) (see annex).

17-04603 (E) 280317

Please recycle

Annex to the note verbale dated 20 March 2017 from the Permanent Mission of Sweden to the United Nations addressed to the Chair of the Committee

Report of Sweden on the implementation of Security Council resolution 2321 (2016)

1. Sweden and the other member States of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2321 (2016) by taking the following common measures:

(a) Council Decision (CFSP) 2016/2217 of 8 December 2016 amending Decision (CFSP) 2016/849 and Commission Implementing Regulation (EU) 2016/2215 of 8 December 2016 amending Council Regulation (EC) No. 329/2007, which implement the designation of additional persons and entities (travel ban and asset freeze);

(b) Council Decision (CFSP) 2017/345 of 27 February 2017 amending Decision (CFSP) 2016/849, which sets out the commitment of the European Union to implementing all the measures contained in resolution 2321 (2016) and provides the basis for accompanying measures specific to the European Union, but within the scope of the resolution, notably the following:

- Trade ban on nuclear- and missile-usable items listed in annex III to resolution 2321 (2016)
- Trade ban on items contained in the new conventional arms dual-use list adopted by the Sanctions Committee pursuant to paragraph 7 of resolution 2321 (2016)
- Ban on leasing or chartering vessels or aircraft, or providing crew services, to the Democratic People's Republic of Korea
- Prohibition on registering vessels in the Democratic People's Republic of Korea, obtaining authorization for a vessel to use the flag of that country and on owning, leasing, operating, providing vessel classification, certification or associated services to, or insuring a vessel flagged by, the Democratic People's Republic of Korea
- Clarification that specialized teaching and training that could contribute to the proliferation-sensitive nuclear activities of the Democratic People's Republic of Korea or the development of nuclear weapons delivery systems can also include, but is not limited to, advanced materials science, advanced chemical engineering, advanced mechanical engineering, advanced electrical engineering and advanced industrial engineering
- Suspension of scientific and technical cooperation involving persons or groups that are officially sponsored by or that represent the Democratic People's Republic of Korea, except in the case of medical exchanges; in the field of nuclear science and aerospace technology, exemptions may be granted by the Sanctions Committee when it has determined, on a case-by-case basis, that the activity will not contribute to illegal activities, while for other fields of

technical cooperation, the Member State may determine that the activity will not contribute to illegal activities, in which case it has to notify the Sanctions Committee in advance

- Attribution to the Sanctions Committee of the power to list vessels if it has information or reasonable grounds to believe that the vessels are involved in illegal activities; this power includes the additional measures that might be imposed by the Sanctions Committee in this regard
- Restriction on the admission, to the European Union, of members of Government and officials of the Democratic People's Republic of Korea and members of that country's armed forces who are linked to illicit activities
- Limitation on the number of accounts at banks in the European Union to one per diplomatic mission and consular post of the Democratic People's Republic of Korea and one per accredited diplomat and consular officer of that country
- Prohibition against the Democratic People's Republic of Korea using real property that it owns or leases for any purpose other than diplomatic or consular activities and against leasing from the Democratic People's Republic of Korea real property situated outside its territory
- Prohibition on providing insurance or re-insurance services to vessels owned, controlled or operated, including through illicit means, by the Democratic People's Republic of Korea
- Prohibition on procuring vessels and aircraft crewing services from the Democratic People's Republic of Korea
- Obligation to deregister any vessel that is owned, controlled or operated by the Democratic People's Republic of Korea, including a prohibition on registering any such vessel that has been deregistered by another United Nations Member State
- Extension of export prohibitions: establishment of a new regime for the export ban on coal, including a cap on the exemptions relating to total exports to all United Nations Member States, with the power to determine the cap attributed to the Sanctions Committee and the export ban extended to new items, namely, statues, new helicopters and vessels, copper, nickel, silver and zinc
- Financial sector: imposition of an obligation to close existing representative offices, subsidiaries or banking accounts in the Democratic People's Republic of Korea within 90 days, unless approved by the Sanctions Committee on the grounds that the accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions
- Prohibition on providing public and private financial support, including the granting of export credits, guarantees or insurance to nationals or entities of the Democratic People's Republic of Korea involved in such a trade
- Obligation to expel persons who are working on behalf or at the direction of a bank or financial institution of the Democratic People's Republic of Korea, unless the presence of the person is required for fulfilment of a judicial process or exclusively for medical, safety or humanitarian purposes

- Obligation to seize and dispose of (such as through destruction, rendering inoperable or unusable, storage or transfer to a State other than the originating or destination State for disposal) items the supply, sale, transfer, or export of which is prohibited under Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016) and that are identified through inspections, in a manner that is not inconsistent with the obligations of Member States under applicable Security Council resolutions, including resolution 1540 (2004)

- Possibility for the Sanctions Committee to grant exemptions to the aforementioned prohibitions, on a case-by-case basis, including when it has determined that an exemption may facilitate the work of international and non-governmental organizations;

(c) Council Regulation (EU) 2017/330 of 27 February 2017 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided in Council Decision (CFSP) 2017/345 of 27 February 2017.

2. In addition to the common European Union measures, the Swedish authorities, within the scope of their national implementation competence, apply the Act on Certain International Sanctions (1996:95) in implementing the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council.

3. The Council regulations mentioned above are binding in their entirety and are directly applicable in all States members of the European Union, including Sweden. By Council Regulation (EC) No. 329/2007, as amended, member States are required to determine the penalties applicable to infringements of its provisions. At the national level, penalties for violations of directly applicable European Union law are set out in the relevant sections of the Act on Certain International Sanctions.

4. Sweden has also adopted the Military Equipment Act (1992:1300), which requires authorization for the sale, supply, transfer or export of arms and related materiel (excluding paramilitary equipment) to third countries and authorization for the provision of brokering services and other services related to military activities. Together, Council Decision (CFSP) 2016/849 and the Military Equipment Act provide the basis for enforcing the arms embargo against the Democratic People's Republic of Korea and the ban on related brokering services.

5. In addition, Sweden has passed Decree (2011:67) concerning Certain Sanctions against the Democratic People's Republic of Korea, prohibiting the procurement of arms and related materiel (including paramilitary equipment) from, as well as the sale, supply, transfer or export of paramilitary equipment to, the Democratic People's Republic of Korea.

6. Regarding restrictions on admissions (visa ban), the general legislation of Sweden concerning aliens, Council Decision (CFSP) 2016/849 and Council Regulation (EC) No. 539/2001 of 15 March 2001 together provide the basis for refusing admission and denying requests for a visa.

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Security Council

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22 March 2017

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 21 March 2017 from the Permanent Mission of the Republic of Moldova to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Moldova to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006), and has the honour to enclose herewith the report of the Republic of Moldova on the implementation of the Security Council resolution 2321 (2016) concerning the Democratic People's Republic of Korea (see annex).

17-04744 (E) 290317

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Annex to the note verbale dated 21 March 2017 from the Permanent Mission of the Republic of Moldova to the United Nations addressed to the Chair of the Committee

Report of the Republic of Moldova on the implementation of Security Council resolution 2321 (2016)

In accordance with Security Council resolution 2321 (2016), the Government of the Republic of Moldova brings to the attention of the Committee information regarding measures undertaken with regard to the implementation of the above-mentioned resolution.

Measures adopted at the national level

In December 2016, the Ministry of Foreign Affairs and European Integration informed all relevant national stakeholders of the adoption of Security Council resolution 2321 (2016) and mandatory actions to be undertaken in order to comply with relevant provisions of the new restrictive measures imposed against the Democratic People's Republic of Korea. On 5 December 2016, the Ministry of Foreign Affairs and European Integration transmitted for publication in the *Official Journal of the Republic of Moldova* the executive order on restrictive measures against the Democratic People's Republic of Korea.

On 13 December 2016, the Ministry of Transportation and Road Infrastructure issued a circular notification informing the managers, ship owners and captains of vessels navigating under the flag of the Republic of Moldova about the new restrictive measures imposed on the Democratic People's Republic of Korea. In the circular notification, it called on all subjects in question to comply, particularly with provisions 18-20, 22, 23, 25 and 27-31 of Security Council resolution 2270 (2016), which refer to the inspection of cargo coming from or designated for delivery to the Democratic People's Republic of Korea, or the renting of services or freighting in favour of the Democratic People's Republic of Korea by vessels flying the flag of the Republic of Moldova, among other things, under penalty of removal of such vessels from the State Register of Ships in the event of violation of the above-mentioned resolutions.

With regard to rail transport, information on restrictive measures taken against the Democratic People's Republic of Korea was disseminated to all rail services in the Republic of Moldova. There is currently no transportation of goods and passengers by rail between the Republic of Moldova and the Democratic People's Republic of Korea, and none is expected in the near future.

Referring to road transport, the national authority placed on its official website information concerning the provisions of the Security Council resolution on United Nations travel restrictions imposed on individuals suspected of involvement under diplomatic cover in developing the nuclear programme of the Democratic People's Republic of Korea.

With regard to air transport, the authorities of the Republic of Moldova issued a circular letter informing ground-handling companies about the regulations and controls concerning the refuelling of aircraft registered in the Democratic People's

Republic of Korea. Additionally, the Security Council resolution was transmitted to the Department of Border Police and the Chisinau International Airport Border Police Division in order to ensure more rigorous security monitoring of passengers and baggage arriving from or departing to the Democratic People's Republic of Korea or in transit through the Republic of Moldova.

Based on the relevant provision of Security Council resolution 2321 (2016), the Republic of Moldova cancelled the registration of three maritime vessels that were navigating under the national flag as a result of the entry of those ships into ports of the Democratic People's Republic of Korea.

In accordance with the provisions of the paragraphs that refer to an asset freeze, the National Bank of Moldova informed all commercial banks of the appropriate actions that needed to be taken in that regard. Therefore, commercial banks of the Republic of Moldova have the obligation to update their internal control procedures in order to comply with the requirements of the resolution and identify any individuals designated by the Security Council in its resolution 2321 (2016) that might conduct financial operations related to the nuclear programme of the Democratic People's Republic of Korea. Additionally, special precautionary measures must be taken to stop these kinds of transactions, if identified, and to report, if needed, all suspicious activity to the Office for the Prevention and Fight against Money-Laundering of the National Anti-Corruption Centre. Thus, as of 1 March 2017, the National Bank of Moldova had not been informed about any activity that directly or indirectly involved individuals and entities designated by the resolution.

The Republic of Moldova implemented a national export control system for dual-use technologies and military equipment (legislation, regulations and national control list). Additionally, the Ministry of Economy has established an interdepartmental commission on the control of dual-use technology. Under the auspices of the national export control system and the interdepartmental commission, all private entities willing to export dual-use goods that are included in the national control list are subject to a mandatory licensing procedure. Additionally, every entity that requests authorization to export dual-use goods and technologies is obliged to present an end-user certificate. At this time, no requests have been made to export any dual-use goods or technologies to the Democratic People's Republic of Korea.

All responsible divisions of the Customs Service of the Republic of Moldova were informed of the provisions of Security Council resolution 2321 (2016). At the same time, in the Integrated Customs Information System, based on the Automated System for Customs Data (ASYCUDA) World software, and in accordance with customs risk analyses procedures, relevant risk analyses and additional selectivity criteria were introduced. These elements are designed to raise a red flag concerning any export or import operation that directly or indirectly involves the Democratic People's Republic of Korea and is subject to detailed physical control.

National legislation on export control

In July 2000, the Parliament of the Republic of Moldova approved the law on export, re-export, import and transit of strategic goods (No. 1163-XIV of 26 July 2000), which establishes a strict procedure of export control for strategic goods

crossing the customs territory of the Republic of Moldova. For the implementation of Law No. 1163-XIV, the Government of Moldova approved Decision No. 606 of 15 May 2002 on the national system of export, re-export, import and transit control of strategic goods in the Republic of Moldova. By that Decision, the Government approved:

(a) The statute of the interdepartmental commission on control of export, re-export, import and transit of strategic goods;

(b) The regulations on the control regime of export, re-export, import and transit of strategic goods;

(c) The national control list of strategic goods.

Control list of strategic goods

According to Law No. 1163-XIV of 26 July 2000, the term "strategic goods" includes:

(a) Dual-use (civilian and military) goods, technologies and services;

(b) Armaments, munitions, military equipment and the technologies and services associated with them;

(c) Goods, technologies and services that can be used in the production of nuclear, chemical and biological weapons and the means of delivery for those weapons;

(d) Other goods, technologies and services that require special control in the interest of national security or foreign policy, as well as in compliance with international agreements and commitments signed by the Republic of Moldova;

The national control list is based on the European Union control list and consists of two parts:

(a) Part I (dual-use goods and technologies), which includes 10 categories:

Category 0 – Nuclear facilities and equipment

Category 1 – Chemicals, toxins and microorganisms

Category 2 – Processing of nuclear materials, equipment and installations

Category 3 – Electronics

Category 4 – Computers

Category 5 – Communications and information security

Category 6 – Sensors and lasers

Category 7 – Navigation and avionics

Category 8 – Marine

Category 9 – Propulsion systems, space vehicles and related equipment;

(b) Part II (weapons and munitions).

On 11 May 2006, the Parliament of the Republic of Moldova approved Law No. 111 on the safe deployment of nuclear and radiological activities. Based on the provisions of the law, a single nuclear regulatory body was created: the National Agency for Regulation of Nuclear and Radiological Activities. All the relevant duties of five central authorities were thereby transferred to the Agency. On 8 June 2012, Law No. 111 was substantially updated, taking into consideration International Atomic Energy Agency (IAEA) recommendations (see Law No. 132 on safe deployment of nuclear and radiological activities).

International cooperation and adherence to relevant nuclear security instruments

The following international instruments in the field of nuclear safety and/or security were signed or ratified by the Republic of Moldova:

- Agreement between the Republic of Moldova and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, and the Protocol Additional to the Agreement
- Amendment to the Convention on the Physical Protection of Nuclear Material
- International Convention for the Suppression of Acts of Nuclear Terrorism (a national point of contact was designated in 2012)
- Agreement on the Privileges and Immunities of the International Atomic Energy Agency
- Joint Convention on the Safety of Spent Fuel Management and the Safety of Radioactive Waste Management
- Agreement on small quantities of nuclear material
- Acceptance and implementation of the Code of Conduct on the Safety and Security of Radioactive Sources
- Treaty on the Non-Proliferation of Nuclear Weapons
- Comprehensive Nuclear-Test-Ban Treaty
- Chemical Weapons Convention
- Biological Weapons Convention.

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Security Council

Distr.: General
27 March 2017

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Letter dated 24 March 2017 from the Permanent Representative of Mongolia to the United Nations addressed to the Chair of the Committee

I have the honour to submit herewith the national report of the Government of Mongolia on the implementation of Security Council resolution 2321 (2016) (see annex).

I kindly request that the report be issued as a document of the Security Council.

(*Signed*) Sukhbold **Sukhee**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Mongolia to the United Nations

17-05001 (E) 040417

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Annex to the letter dated 24 March 2017 from the Permanent Representative of Mongolia to the United Nations addressed to the Chair of the Committee

Report of Mongolia on the implementation of Security Council resolution 2321 (2016)

Mongolia supports Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016) on restriction measures with regard to the Democratic People's Republic of Korea and is fully committed to their implementation.

Following the adoption by the Security Council of resolution 2321 (2016), the Ministry of Foreign Affairs of Mongolia informed all the relevant ministries and other government institutions, as well as the State Bank of Mongolia, of the measures to be taken pursuant to that resolution.

The text of Security Council resolution 2321 (2016) and the list of individuals, entities, items, materials, equipment, goods (including luxury goods) and technology subject to the sanctions under the resolution were distributed to all ministries and government institutions concerned.

In the implementation of Security Council resolutions 2270 (2016) and 2321 (2016), the law enforcement agencies and border control authorities of Mongolia have taken relevant measures to strengthen border and customs control over the movement of goods and vehicles to and from the Democratic People's Republic of Korea. The Customs and Taxation General Administration, the sanctions enforcement authority, has ordered its affiliates not to permit the export, import and transit to or from the DPRK of items and services covered by the above-mentioned resolutions.

Mongolia does not purchase from the DPRK any item that could contribute to prohibited programmes or activities or evasion of sanctions.

Pursuant to the Law on Combating Money-Laundering and Terrorism Financing, adopted by the Parliament of Mongolia on 8 July 2006, the Financial Information Unit was established within the State Bank of Mongolia. The core function of the Financial Information Unit is to receive reports on suspicious transactions from financial institutions, individuals and other entities, to analyse them and to disclose the results to the local law enforcement organizations and foreign financial information units to combat money-laundering. Within the framework of its functions, the Financial Information Unit oversees the implementation of the Security Council resolutions imposing sanctions against the DPRK.

In addition, no branch, subsidiary or representative office of the DPRK banks has been opened in Mongolia. Likewise, financial institutions of Mongolia do not have their representative offices, subsidiaries or banking accounts in the DPRK. There has been no case of providing public financial support for trade with the DPRK that could contribute to its prohibited programmes or activities or to the evasion of sanctions.

Furthermore, the relevant ministries and border control and customs authorities have been reminded of their obligations under Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016), including those related to the inspection of all personal luggage and baggage of DPRK nationals and others travelling to or from the DPRK as well as cargo to or from the DPRK, or brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf, if they have information that provides reasonable grounds to believe that the cargo contains prohibited items. There has been no case registered in this regard.

Mongolia is a landlocked country. It has over 400 foreign vessels carrying the Mongolian flag on the high seas. There had been some DPRK vessels carrying the Mongolian flag before Security Council resolutions 2270 (2016) and 2321 (2016) were adopted. Upon the instruction of the Ministry of Road and Transport of Mongolia, 17 vessels were deregistered and their contracts were terminated.

In October 2007, Mongolia signed a Proliferation Security Initiative (PSI) Ship Boarding Agreement with the USA, which entered into force in February 2008. Under the Agreement, if a vessel registered to Mongolia is suspected of carrying proliferation-related cargo, either country can request that the nationality of the ship in question be confirmed and, if needed, authorize the boarding, search and possible seizure of cargo of proliferation concern.

Mongolia is committed to more active involvement in the PSI process. At present, Mongolia is studying the possibility of joining the 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Relevant steps shall also be taken towards accession to the 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing Convention).

The relevant ministries and civil aviation, border control and customs authorities of Mongolia have also been reminded of their obligations, including the denial of permission to any DPRK aircraft to take off from, land in or overfly the territory of Mongolia if they have information that provides reasonable grounds to believe that the aircraft contains prohibited items, except for emergency landing. There has been no case registered in this regard.

Finally, Mongolia intends to continue its close collaboration with the Security Council Committee established pursuant to resolution 1718 (2006) with the aim of fulfilling the requirements envisaged in resolution 2321 (2016).

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Security Council

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31 March 2017

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 31 March 2017 from the Permanent Mission of Estonia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Estonia to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1718 (2006) and hereby submits the report of Estonia on the implementation of the restrictive measures imposed by the Security Council in its resolution 2270 (2016).

17-05333 (E) 060417

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Annex to the note verbale dated 31 March 2017 from the Permanent Mission of Estonia to the United Nations addressed to the Chair of the Committee

Report of Estonia on the implementation of Security Council resolution 2270 (2016)

Estonia and the other member States of the European Union are implementing the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2270 (2016) by taking the following common measures:[1]

- Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP.[2] Council Decision (CFSP) 2016/849 sets out the commitment of the European Union to implement all the measures contained in resolution 2270 (2016) and provides the basis for European Union-specific accompanying measures within the scope of the resolution, notably:
  - Designation of additional persons and entities (travel ban and asset freeze)
  - Extension of export and import prohibitions: extends export and import prohibitions to any item (except food or medicine) that could contribute to the development of the operational capabilities of the armed forces of the Democratic People's Republic of Korea
  - Requirement to expel diplomats of the Democratic People's Republic of Korea engaged in illicit activities: targets diplomats of the Democratic People's Republic of Korea working on behalf or at the direction of a designated individual or entity, or of an individual or entity assisting in the evasion of sanctions or violating the provisions of Security Council resolutions, including exemptions
  - Requirement to expel foreign nationals involved in illicit activities: targets foreign nationals working on behalf or at the direction of a designated individual or entity, or of an individual or entities assisting in the evasion of sanctions or violating the provisions of Security Council resolutions
  - Requirement to close offices of designated entities and expel representatives: member States shall close the representative offices of designated entities and prohibit such entities, as well as individuals or entities acting for or on their behalf, from participating in joint ventures or any other business arrangements
  - Ban on specialized training, including teaching or training in specific fields

[1] All common measures are published in the *Official Journal of the European Union*.
[2] See *Official Journal of the European Union L 141*, 28 May 2016.

- Requirement to inspect cargo of the Democratic People's Republic of Korea, to cover the inspection of cargo that is within or transiting free-trade zones or that is being transported on aircraft or maritime vessels flagged by the Democratic People's Republic of Korea. In addition, the obligation to inspect is irrespective of any reasonable grounds to suspect that the cargo contains prohibited items
- Requirement to ban the chartering of vessels or aircraft by the Democratic People's Republic of Korea and to deregister vessels: includes a prohibition of the provision of crew services
- Requirement to prohibit nationals from operating vessels of the Democratic People's Republic of Korea and using the flag of that country
- Ban on flights of any plane suspected of carrying contraband, with the exception of landing for inspection
- Prohibition of the entry into port of any vessel controlled by a designated entity or suspected of engaging in illicit activity
- Export ban on any item that could contribute to the nuclear or ballistic programmes or other weapons of mass destruction programmes of the Democratic People's Republic of Korea
- Ban on the export from the Democratic People's Republic of Korea of specified minerals such as coal, iron, iron ore, gold, titanium ore, vanadium ore and rare earth minerals
- Ban on the export to the Democratic People's Republic of Korea of aviation fuel, such as aviation gasoline, naptha-type jet fuel, kerosene-type jet fuel and kerosene-type rocket fuel
- Freeze on assets of government entities or the Worker's Party of Korea associated with illegal programmes or of individuals or entities acting on their behalf
- Prohibition of the opening and operation of new branches, subsidiaries and representative offices of banks of the Democratic People's Republic of Korea
- Obligation to close existing branches, subsidiaries or representative offices of banks of the Democratic People's Republic of Korea within 90 days
- Obligation to close existing representative offices, subsidiaries or banking accounts in the Democratic People's Republic of Korea within 90 days
- Extension of the prohibition of the provision of financial support for trade with the Democratic People's Republic of Korea to also cover private financial support for trade if such financial support could contribute to the illicit activities of the Democratic People's Republic of Korea

- Commission Implementing Regulation (EU) 2016/315 of 4 March 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea.[3]

In addition to Council Decision (CFSP) 2016/849, the Council adopted a regulation implementing article 6 (2) of Council Regulation (EC) No. 329/2007 on restrictive measures against the Democratic People's Republic of Korea in order to legally enforce the asset freeze for the new European Union autonomous designations of persons and entities.

Council Regulation (EU) 2016/682 of 29 April 2016 amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[4] gives effect to the measures set out in Council Decision (CFSP) 2016/476 of 31 March 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea.[5]

Estonia has the following national legislation requiring an export authorization for the sale, supply, transfer or export of arms and related materiel[6] to third countries and an authorization for the provision of brokering services and other services related to military activities, which, together with Council Decision (CFSP) 2016/849,[2] provides the basis for enforcement of the arms embargo against the Democratic People's Republic of Korea and the ban on related brokering services:

The Strategic Goods Act,[7] in particular section 13 (application for licence), Minister for Foreign Affairs Regulation No. 6 concerning the formats of licence applications[8] and the Weapons Act.[9]

The above-mentioned Council regulations are binding in their entirety and directly applicable in all member States of the European Union. Regulation (EC) No. 329/2007 requires member States to determine the penalties applicable to infringements of their provisions. The penalties determined by Estonia are set out in the following legislation:

Penal Code[10] section 93-1[11] (Failure to apply international sanctions), section 421-1 (Illegal carriage of strategic goods or illegal provision of services

[3] See *Official Journal of the European Union L 60*, 5 March 2016.

[4] See *Official Journal of the European Union L 117*, 3 May 2016.

[5] See *Official Journal of the European Union L 85*, 1 April 2016.

[6] This legislation should apply to all goods included in the Common Military List of the European Union; see *Official Journal of the European Union C 129*, 21 April 2015.

[7] *Riigi Teataja RT I*, 12 March 2015 (latest English translation available from www.riigiteataja.ee/en/eli/501022016001/consolide).

[8] *Riigi Teataja RT I*, 29 December 2011 and Minister for Foreign Affairs Regulation No. 6 of 27 December 2011 (no translation available).

[9] *Riigi Teataja RT I*, 19 March 2015 (latest English translation available from www.riigiteataja.ee/en/eli/502022016003/consolide).

[10] *Riigi Teataja RT I*, 20 May 2016 (latest English translation available from www.riigiteataja.ee/en/eli/530052016001/consolide).

[11] Note that, in Estonian legislation, new provisions that were inserted in the act as the result of an amendment are usually indicated by an index number (a number in superscript) following the paragraph number, the section number or the sub-section number (e.g. "section 93[1] of the Penal Code"). Another way of indicating new provisions is by inserting a hyphen after the paragraph number, the section number or the sub-section number (e.g. "section 93-1 of the Penal Code").

relating to strategic goods) and section 421-2 (Carriage of prohibited strategic goods or provision of services relating to prohibited strategic goods).

With regard to restrictions on admission (visa ban), Estonia has the following national legislation, which, together with Council Decision (CFSP) 2016/849 and Regulation (EC) No. 539/2001,[12] provides the basis for refusal of admission and denial of requests for a visa:

Obligation to Leave and Prohibition on Entry Act,[13] section 33-1 (Prohibition on entry arising from law or court judgment), paragraph 4; and Government Regulation No. 182 concerning the implementation of restrictive measures against the Democratic People's Republic of Korea.[14]

With regard to the ban on specialized training, a government regulation concerning the implementation of the restrictive measures against the Democratic People's Republic of Korea[15] was enacted on the basis of section 8 (1) of the International Sanctions Act.[16] The regulation prohibits the admission of nationals of the Democratic People's Republic of Korea to institutions providing higher education and training in disciplines that would contribute to that country's proliferation-sensitive nuclear activities and the development of nuclear-weapon delivery systems.

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[12] Regulation (EC) No. 539/2001 applies neither to Ireland nor to the United Kingdom of Great Britain and Northern Ireland.

[13] *Riigi Teataja RT I*, 6 April 2016 (latest English translation available from www.riigiteataja.ee/en/eli/522042016003/consolide).

[14] *Riigi Teataja RT II*, 31 May 2016, Government Regulation No. 182 of 27 May 2016 (no translation available).

[15] *Riigi Teataja RT I*, 23 July 2016, Government Regulation No. 84 of 21 July 2016 (no translation available).

[16] *Riigi Teataja RT I*, 12 July 2014 (latest English translation available from www.riigiteataja.ee/en/eli/530122014002/consolide).